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**Federal Communications Commission**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Kenilworth Electronics Co...	)	File No. EB-07-BF-037
	)	
Licensee of Radio Station KGO563	)	NOV No. V20073228009
	)	
Buffalo, New York 14223	)	
	)	

**NOTICE OF VIOLATION**

**Released: September 24, 2007**

By the Resident Agent, Buffalo Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules<sup>1</sup> to Kenilworth Electronics Co., the licensee of Land Mobile Radio Service Station KGO563, in Buffalo, New York.
2. On July 2, 2007, an agent of the Commission's Buffalo conducted an investigation involving harmful interference to the Town of Tonawanda fire frequency on 465.975 MHz. and observed the following violation:

47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section." Kenilworth was operating a station on the frequency of 465.975 MHz at 860 Niagara Falls Boulevard, Buffalo, New York. The operation of this station was causing harmful interference to the Town of Tonawanda Fire Department. The license for KGO563 does not authorize the use of frequency 465.975 MHz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Kenilworth Electronics Co. must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

## Federal Communications Commission

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Federal Communications Commission  
Buffalo Office  
6400 Sheridan Drive  
Suite 140  
Williamsville, New York 14221

4. This Notice shall be sent to Kenilworth Electronics Co. at its address of record.
5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

David A. Viglione  
Resident Agent  
Buffalo Office  
Northeast Region  
Enforcement Bureau

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*